

_AO91 (Rev. 8/01) Criminal Complaint

U.S. MAGISTRATE COURT

DS - SDTX

FILED

United States District Court

AUG 30 2010 IS

SOUTHERN

DISTRICT OF

TEXAS

David J. Bradley, Clerk
Laredo Division

UNITED STATES OF AMERICA

CRIMINAL COMPLAINT

V.

Wilfredo Castillo
Laredo, Texas
United States

Case Number: L-10-MJ 2198

(Name and Address of Defendant)

FPO
75Kds

9/10/10 @ 10 AM ple

I, the undersigned complainant state that the following is true and correct to the best of my

knowledge and belief. On or about August 28, 2010 in Laredo, Texas Webb County, in
(Date)
the Southern District of Texas, Wilfredo Castillo defendant(s),

a United States citizen, did unlawfully transport Elizabeth Castaneda Jaimes, an undocumented Mexican alien within the Southern District of Texas knowing or in reckless disregard of the fact that she had come to, entered, or remained in the United States in violation of law, and transported or moved her within the United States by means of motor vehicle or otherwise, in furtherance of such violation of law.

in violation of Title 8 United States Code, Section(s) 1324 (a) (1) (A) (ii)

I further state that I am a(n) Senior Border Patrol Agent and that this complaint is based on the
Official Title

following facts: based on statements of the accused and records of the Immigration & Naturalization Service.

Continued on the attached sheet and made a part of this complaint:

☒ Yes☐ No

Signature of Complainant

Jesse Newsome

Printed Name of Complainant

Sworn to before me and signed in my presence,

August 30, 2010

Date

at

Laredo, Texas

City and State

Diana Saldana

U.S. Magistrate Judge

Name and Title of Judicial Officer

Signature of Judicial Officer

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Page 2

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vs

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Laredo Division

Wilfredo Castillo

[CONT OF BASIS OF COMPLAINT]

On August 28, 2010, Wilfredo Castillo approached primary inspection at the IH 35 checkpoint driving a Green Mitsubishi Galant. The agents conducted an immigration inspection on the two passengers and were asked to state their citizenship and where they were born. The driver, Wilfredo Castillo, stated that he was a United States Citizen. The passenger, Elizabeth Castaneda Jaimes, immediately said she was a United States citizen. When the agent questioned her in English about where she was born she simply said "yes". When the agent questioned her further about where she was born she was unable to answer the agent. Only when the driver told her in Spanish what the agent had asked, she said she was born in Laredo, Texas. The agent then asked Castaneda in Spanish if she spoke English and she and the driver stated "not much". The agent then asked the driver to sit back in his seat and allow him to question the passenger and to let Castaneda answer the questions. The agent then asked her in Spanish where in Laredo, Texas she was born and she just said "Laredo, Texas". The agent then asked her what High School she attended and she stated the one here in Laredo, Texas. When the agent asked her the name of the High School she got very nervous and would not look at me, then she said she did not remember the name of the High School. When the agent asked Castaneda for documentation that proved she was a United States citizen she said she did not have any. As the agent conducted the immigration inspection, Castaneda did not make eye contact and appeared nervous. The agent then referred the vehicle to secondary inspection for further inspection.

In secondary, both individuals to exit the vehicle and after further investigation Castaneda freely admitted that she was in the United States illegally. Both subjects were placed under arrest and taken into the checkpoint for processing. Both subjects were read their Miranda Warnings and consented to giving a statement without an attorney present.

The principal and driver, Wilfredo Castillo, stated that he made arrangements with a friend (Julian Ramirez) to pick up one illegal alien at an apartment complex in Laredo, Texas. He was to drive Castaneda to San Antonio, Texas and drop her off at a gas station located on Military Drive. Castillo also stated that he was to receive \$400.00 when he returned to Laredo, Texas as payment for transporting Castaneda to San Antonio, Texas.

The material witness and passenger, Elizabeth Castaneda Jaimes, stated that she made the arrangements with a man in Nuevo Laredo that told her he could cross her into the United States. On August 21, 2010 the man she made arrangements with took her and four other individuals to the river. After crossing the river she was called on her cell phone and was told to wait for an old red pick up truck and that she was then taken to a house where she stayed for 7 days. She was then picked up at the house by an unknown person in a white four door sedan and later dropped off at a Super S-Mart parking lot, where she was picked up by Castillo. Once in the vehicle Castaneda was instructed by the driver (Castillo) that when asked if she was a United State citizen to say yes sir. Castaneda stated that she paid \$500.00 in Mexico and that her husband was suppose to pay the remaining \$1,500.00 when she arrived in San Antonio, Texas. Castaneda claims she paid the driver (Castillo) \$40.00 for gas. Castaneda was en route to Brooklyn, New York to reside and seek employment.